

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR SUMTER COUNTY, FLORIDA

CASE NO.: 2018CA000306AXMX

PETER SOLA,

Plaintiff,

vs.

SUZANNE MARKEL, individually and as Co-Trustee of the Valerie J. Tourtelot 2005 Irrevocable Trust, Trustee of the Joseph R. Sola 2006 GST Trust, Trustee of the Peter J. Sola 2006 GST Trust, Trustee of the Pia Emily Sola 2006 GST Trust, and Trustee of the Suzanne S. Markel Revocable Trust; GEORGE L. SOLA, individually and as Co-Trustee of the Valerie J. Tourtelot 2005 Irrevocable Trust, Co-Trustee of Trust No. 02-16129, Co-Trustee of Trust No. 02-16124, Trustee of the Anne M. Link 2006 Trust, Trustee of the James R. Markel 2006 Trust, and Trustee of the Sola Children Irrevocable Trust; SIGRID SOLA; THE NORTHERN TRUST COMPANY, as Co-Trustee of the Valerie J. Tourtelot 2005 Irrevocable Trust, Special Trustee of Trust No. 02-16129 and Special Trustee of Trust No. 02-16124,

Defendants.

ORDER GRANTING AMENDED MOTION TO DETERMINE CONFIDENTIALITY OF COURT RECORDS AND INCORPORATED MEMORANDUM OF LAW

THIS MATTER is before the Court on the Motion to Determine Confidentiality of Court Records and Incorporated Memorandum of Law, filed by Plaintiff, pursuant to 2.420(c)(9) Florida Rule of Judicial Administration.

1. Plaintiff seeks an order sealing the following information relative to this Action:

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particular documents within the Court file, specifically (a) Peter J. Sola 2006 GST Trust (the "Peter Sola Trust"); (b) Valeria J. Tourtelot 2006 Irrevocable Trust (the "Tourtelot Trust"); (c) Pia Emily Sola 2006 GST Trust (the "Pia Sola Trust"); and (d) Sixth Amendment to, and Restatement of, Suzanne S. Markel Revocable Trust Dated the 8th Day of November, 1994 (the "Suzanne Markel Trust"), (collectively the "Trust Agreements").

2. This motion was not contested and a hearing was not conducted.
3. Having considered the arguments of the parties, legal authority, and otherwise being fully advised, the Court GRANTS the motion as follows:

- a. Confidentiality of the Trust Agreements is required to protect the following interests (a) proprietary information and trade secrets, (b) to avoid substantial injury to the parties by disclosure of matters protected by a common law or privacy right not generally inherent in this type of proceeding, and (c) to comply with established public policy set forth in Florida Statutes, Florida case law, and the Florida Constitution.
- b. The Court further finds that no less restrictive measure is available to protect these interests and that the degree, duration, and manner of confidentiality ordered herein are no broader than necessary to protect the interests.

WHEREFORE, it is hereby ORDERED that the Clerk of the Circuit Court is directed to seal immediately the Trust Agreements related to this matter and to keep such materials from public access. Specifically, the Clerk is directed to seal the Peter Sola Trust and the Tourtelot Trust after Plaintiff files same, and the Clerk is further directed to seal the Pia Sola Trust and the

Suzanne Markel Trust, which were filed as Exhibits "A" and "B" of Defendant Suzanne Markel's Motion to Dismiss Complaint on November 2, 2018. However, the file and progress docket shall otherwise remain available to the public.

It is further ORDERED that any materials sealed pursuant to this Order shall be conditionally disclosed upon the entry of a further order by this Court finding that such opening is necessary for purposes of judicial or governmental accountability or First Amendment rights.

It is further ORDERED that any materials sealed pursuant to this Order may otherwise be disclosed only as follows:

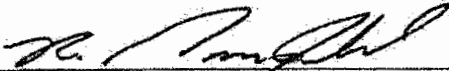
- a. To any judge of this Circuit for case-related reasons.
- b. To the Chief Judge or his or her designee.
- c. To adult parties or their attorneys of record.
- d. To litigation consultants retained by the parties, but only as necessary to prosecute or defend the claims in this action. Counsel shall notify litigation consultants and obtain litigation consultants agreement that they are bound by this Order to maintain the confidentiality of the materials sealed by this Order.
- e. By further order of the Court.

It is further ORDERED that within ten (10) days of the date of this Order the Clerk shall post a copy of this Order on the bulletin board of the Sumter County Courthouse and the Clerk's website for a period of thirty (30) days to provide public notice.

It is further ORDERED that the Clerk is hereby authorized to unseal any materials sealed pursuant to this Order for the purpose of filing, microfilming or imaging files, or transmitting a record to an appellate tribunal. The materials shall be resealed immediately upon completion of

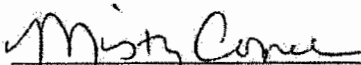
the filing.

DONE AND ORDERED in Chambers at Bushnell, Sumter County, Florida this 17th day
of December, 2018.


R. Gregg Jerald, Circuit Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via Florida Courts E-Filing Portal and/or U.S. Mail to: J. Timothy Schulte, Esquire / Nicole E. Cuccaro, Esquire, Zimmerman, Kiser & Sutcliffe, P.A., 315 E. Robinson Street, Suite 315, Orlando, FL 32801 (tschulte@zkslawfirm.com; ncuccaro@zkslawfirm.com; and service@zkslawfirm.com); T. Todd Pittenger, Esquire / Jason Zimmerman, Esquire / Brock Magruder, Esquire, Gray Robinson, P.A., 301 E. Pine Street, Suite 1400, Orlando, FL 32801 (todd.pittenger@gray-robinson.com; Jason.zimmerman@gray-robinson.com; and brock.magruder@gray-robinson.com); Steven L. Hearn, Esquire / Frederick L. Hearn, Esquire, Steven L. Hearn, P.A., 625 E. Twiggs Street, Suite 102, Tampa, FL 33602 (slh@estatedisputes.com; melr@estatedisputes.com; flh@estatedisputes.com); and Alexander S. Douglas, II, Esquire / Lane E. Begy Roesch, Esquire, Shuffield, Lowman & Wilson, P.A., 1000 Legion Place, Suite 1700, Orlando, FL 32801 (adouglas@shuffieldlowman.com; lraesch@shuffieldlowman.com; and litservice@shuffieldlowman.com);, this 17th day of December, 2018.


Misty Conner
Judicial Assistant / Attorney

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